

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICK HAMILTON and KRISTIN
HAMILTON,

Plaintiffs,

v.

COUNTY OF MADERA, et al.,

Defendants.

No. 1:20-cv-00484-NONE-EPG

ORDER CONCERNING MOTION FOR
LEAVE TO AMEND

On February 18, 2021, Plaintiffs Rick Hamilton and Kirstin Hamilton (“Plaintiffs”) filed a motion for leave to amend their complaint. (ECF No. 17). The motion attached their proposed second amended complaint. (*Id.* at 13-117).

Defendants’ opposition to the motion for leave to amend argues that the Court should deny the motion because Plaintiffs failed to meet and confer before filing it. (ECF No. 19 at 7-8). The parties dispute factual aspects of their process, including what was said on a phone call between counsel. (*See* ECF Nos. 19-1 at 2, 5-6; 20 at 10). Regardless, the parties agree that they have not met and conferred concerning the motion for leave to amend.

This motion is set for a hearing before the undersigned on April 9, 2021. (ECF No. 21). Before the hearing, the Court will order the parties to meet and confer in good faith concerning the motion. The parties shall discuss (1) stipulating to Plaintiffs’ filing their proposed second amended complaint; and (2) stipulating to Plaintiffs’ filing a different amended complaint and, if

1 so, a proposed schedule for such filing.

2 Accordingly, IT IS HEREBY ORDERED that:

- 3 1. The parties shall meet and confer in good faith concerning Plaintiffs' leave to amend,
4 as discussed above; and
- 5 2. No later than April 5, 2020, the parties shall file a joint status report concerning the
6 outcome of their conference.

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8 IT IS SO ORDERED.

9 Dated: **March 25, 2021**

/s/ Eric P. Grogan
10 UNITED STATES MAGISTRATE JUDGE
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